

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – School Education Department – Representations filed by Sri G. Thirupathi Reddy, School Assistant (Hindi), GHS, Siddipet, erstwhile Medak District and (5) others against the punishment of withholding of two increments of pay with cumulative effect - Allowed – Modified the punishment to that of withholding of two increments of pay without cumulative effect– Orders–Issued
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SCHOOL EDUCATION [Vigilance] DEPARTMENT

G.O.Rt.No. 59

Dated: 18-06-2018
Read the following:-

1. Individual representations of Sri G. Thirupathi Reddy, SA, erstwhile Medak District & (5) others of common dtd.30.10.2015 & 03.12.2015 addressed to the Govt.,
2. Govt., Memo No.19472/SE-Vig/2006, dtd.5.10.2016 addressed to the DSE, Telangana.
3. From the CDSE, Telangana, Lr. Rc.No.06/Ser-I/Vig/2007, dtd.10.4.20 17 addressed to the Government.

ORDER:

In the reference 1st read above, (1) G.Thirupathi Reddy, S.A.(Hindi), GHS, Siddipet, erstwhile Medak District (2) Sri Md.Zameer Mohiuddin, School Assistant(Maths), GHS, Siddipet, erstwhile Medak District (3) Sri K.Malla Reddy, School Assistant.(Bio-Sci), ZPHS, Siddipet, erstwhile Medak District (4)Sri V. Mohan Rao, S.A.(Eng), ZPHS, Chellapur, Dubbak, erstwhile Medak District (5) Sri D. Govardhan Reddy, SGT, PS Chintamadka, Siddipet, erstwhile Medak District (6) Sri Ch. Gopal Reddy, SGT, Pullur, Siddipet erstwhile Medak District have submitted representations to the Government against the punishment of “withholding of two increments with cumulative effect” imposed on them by the District Educational Officer, erstwhile Medak District, for the reasons mentioned therein.

2. In the reference 2nd read above, the Commissioner & Director of School Education(CDSE), Telangana, was requested to furnish his report in the matter to the Government.

3. In the reference 3rd read above, the Commissioner & Director of School Education, Telangana, has stated that the District Educational Officer (DEO), erstwhile Medak District imposed punishment of withholding of two increments with cumulative effect vide Proceedings Rc.No.4550-1,2,3,4/B6/2010, dtd.01.12.2012 in-respect of (1) G.Thirupathi Reddy (2) Sri Md.Zameer Mohiuddin (3) Sri K.Malla Reddy and (4) Sri V.Mohan Rao, and vide Proceedings Rc.No.2081/B3/2007-1,2, dtd.14.06.2013 in-respect of (1) Sri D. Govardhan Reddy and (2) Sri Ch. Gopal Reddy.

4. The CDSE, Telangana, further stated that the representations/appeal petitions filed by them were rejected by the RJDSE, Hyderabad vide Proceedings Rc.No.697/(A5)B3/2013, dtd.11.03.2014 and further representations/revision petitions filed by them before the CDSE, Telangana were rejected by the CDSE, Telangana vide Proceedings Rc.No.6/Vig.I/2007, dtd.15.10.2015. The six individuals again submitted Appeal/representations to the Government vide reference 1st read above requesting the Government to exonerate them in the matter.

5. The Appeal/representations of the six individuals vide reference 1st read above have been examined by the Government. It is observed that strictly speaking as per the Telangana Civil Services (CCA) Rules, 1991, after the punishment imposed by the District Educational Officer, erstwhile Medak,

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district, their representations to the Regional Joint Director of School Education (RJDSE) have to be covered under 'Appeal' against the orders of the DEO and representations to the C & DSE, TS., Hyderabad fall under the category of 'Revision' as per Rule 40 of the CCA Rules, 1991. Therefore, their representations to the Government have to be covered under Rule 41 of CCA Rules, 1991 i.e., under 'Review'. However, this Review is possible only on the reference made by the HoD when any new material or evidence is brought to notice which has effect of changing the nature of the case.

6. The details of the case indicate that a common enquiry was conducted by the Inquiry Officer, Sri M. Brahmachary, Deputy Director of the Treasury and Accounts Department, Hyderabad, into this matter, which involved the following Treasury and School Education Department Officials 1) Sri B.Dattu Rao, the then Assistant Treasury Officer, Sub Treasury, Siddipet, erstwhile Medak district; 2) Sri D.Karunakar, the then Sr. Accountant, Sub Treasury, Siddipet, erstwhile Medak district 3) Sri M.Mahipal Reddy, the then MEO, Siddipet, erstwhile Medak district and 4) Sri K.Raja Narasaiah, Teacher, Siddipet, erstwhile Medak district. Allegations were made by the teachers of the Education Department that these Officials took bribes to clear their PRC-2005 bills. The Enquiry Officer mentioned, about the Written Statements given by these six (6) teachers (para 1 above) to the ACB and he concluded that in their Statements they did not mention any corroborative evidence to support the claim of giving bribe to the Treasury/School Education Department Officials involved. The Enquiry Officer further mentioned in his report that the above teachers did not attend the enquiry as witnesses which indicated that they did not have any evidences to support their claim and hence they were avoiding the enquiry.

7. The six teachers(para 1 above) in their representations to the CDSE mentioned that they could not attend the enquiry for various other reasons such as on one occasion they could not attend the enquiry due to ill health and on other occasions, the enquiry was held on working days at Hyderabad and since the Schools where they were working are in Medak Dist and were functioning on those days, hence they could not attend the enquiry on three occasions. They denied that they turned hostile in the Enquiry. They mentioned that their Written Statements should have been considered and they should not be penalized for raising an important issue of the misconduct of the various Treasury/School Education Department officers and a Teacher.

8. On a detailed examination of the entire issue, it is clear that the Enquiry Officer did take into consideration their Written Statements but found that there was no specific corroborative evidence to support the claim of giving bribe by them and since they did not attend the enquiry, he arrived at a conclusion that they had turned hostile due to not having any evidences with them.

9. Thus, it is clear that the Enquiry Officer arrived at certain conclusions by taking into account their Written Statements and the reasons of the six (6) teachers (para 1 above) for not attending the enquiry, are not fully convincing.

10. Therefore, based on the records/ reports made available it is finally observed that the imposition of the punishment of stoppage of two increments with cumulative effect by the DEO, erstwhile Medak District is found to be a harsh punishment when compared to the offence committed by them. The offence committed by the individuals is not misappropriation /corruption or dereliction of their official duties, but it is a case where these individuals did not turn up as witnesses to depose the evidence before the Inquiry Authority in the Departmental case. Therefore, after examining the representations of these (6) teachers (para 1 above) the Government decided to modify the penalty imposed by the DEO, erstwhile Medak District, on humanitarian grounds.

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11. Therefore, Government after careful examination of the matter, hereby modify the punishment of "stoppage of two increments with cumulative effect" imposed by the DEO, erstwhile Medak District to that of "stoppage of two increments without cumulative effect" on (1) G.Thirupathi Reddy, S.A.(Hindi), GHS, Siddipet, erstwhile Medak District (2) Sri Md.Zameer Mohiuddin, School Assistant(Maths), GHS, Siddipet, erstwhile Medak District (3) Sri K.Malla Reddy, School Assistant.(Bio-Sci), ZPHS, Siddipet, erstwhile Medak District (4) Sri V.Mohan Rao, S.A.(Eng), ZPHS, Chellapur, Dubbaka, erstwhile Medak District (5) Sri D. Govardhan Reddy, SGT, PS Chintamadka, Siddipet, erstwhile Medak District (6) Sri Ch. Gopal Reddy, SGT, Pullur, Siddipet erstwhile Medak District.

12. The Commissioner & Director of School Education, Telangana, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

RANJEEV R. ACHARYA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner & Director of School Education, Telangana, Hyderabad.
The individuals through Commissioner & Director of School Education,
Telangana, Hyderabad.
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER